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January 27, 2006

VIA FACSIMILE and UNITED STATES POSTAL SERVICE

Honorable James Larson
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Copple v. Astrella & Rice, P.C., et al.
No. C 05 3961 JL

Dear Judge Larson:

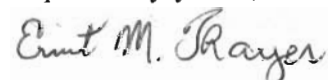
I apologize to the court for my having failed to file a case management statement. My wife has a life threatening disease, and two weeks ago she experienced a physical emergency which required hospitalization at California Pacific Medical Center where she now remains. My time and attention since my filing of this action have been almost entirely devoted to caring for her.

I have served none of the defendants. What little time I recently have had to spend on this case has been directed to finding a suitable attorney to prosecute it on behalf of my clients. My wife's condition will prevent my doing so.

The court has the authority to dismiss the action as to any defendant who has not been served within 120 days of its filing. FRCP 4(m). Those 120 days will expire today. On behalf of my clients, I request an enlargement of that time by an additional 45 days. FRCP 6(b). The defendants know of the action's existence, and therefore will not be prejudiced. The court has the authority to grant that enlargement **ex parte**, without either notice or a formal motion. FRCP 6(b)(1).

I also request a continuance of the case management conference to March 22, 2006, at 10:30 a.m.

Respectfully yours,



Ernest M. Thayer

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